

G. R. S. IX-5]

Previous references.

Later references.

*Prison
Dept.*
1919.
(*pris*)

File No. *4-19*
Serial Nos. *142*

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. *Two*

Part B for *Nov 19.*

SUBJECT.

*Body warrants of certain Prisoners
confined in the B. C. Jail.*

*Sl 13 From the S. G. & Prison
no 138C
105-19* *bc 8.7.1919*

*.. Returns the 8 body warrants issued by the
2nd class sub-magistrate Markamallu by production
of certain prisoners from the B. C. Jail etc*

*Sl 23 To the S. A. Resident
no 174
bc 13.8.19*
Returns the warrants

Madhavaboo
2.12.1919 M-

GENERAL AND REVENUE SECRETARIAT.

(*Priv*)

NOTES.

File No. 4-19

FILE HEADING.

*Body warrants of certain prisoners confined
in the B. C. jail.*

From

The J. & of Prisons in Mysore.

No. 1386/125 19 Dated 8th *June*, 1919

Received 7th

Diary No. 675

Enclos.

Spare Copies.

Serial No. 1

BRIEF ABSTRACT OF LETTER.

Returns the 8 body warrants issued by the 2nd Class Sub. Magistrate of Harpanahalli, for production of certain prisoners from the B. C. jail, stating that the Supt. B. C. Jail reports that ^{in some} the particulars furnished are to trace out prisoners are incomplete, and in other cases the prisoners are not extraditable.

NOTES AND ORDERS.

- 1) The ~~transmit~~ summons served on the Supt. B. C. Jail to produce before the 2nd Class Sub. Magistrate of Harpanahalli. Eight prisoners from the B. C. Jail was forwarded through the Ch. Secy. by the J. A. Resident in Mysore and they were forwarded through the J. & of Prisons to the addressee.

Serial
No.

2) The warrants have been returned on the Score that in some the particulars furnished are not sufficient for tracing the prisoners and ^{that} in others the prisoners are undergoing imprisonment for offences which do not allow Extradition, and one of the prisoners wanted has already been released on 9th June 1919 -

1) Is this a relevant point?

2) Was this right? Have his whereabouts been noted for extradition?

3) Draft to F.A. Resident returning the warrants is subd.

Ans. ~~888~~
11-7-19

6) Draft with refce to ^{law} ~~the~~ subject Habeas ^{corpus} ~~corpus~~ with them ¹⁰⁰⁰

7) The Courts Section to ¹²⁻⁷⁻¹⁹ (and) put up answers to the ~~1000~~ queries

~~888~~
12-7-

8) Subd. with the rules in the matter. Warrants for the surrender of convicts can be executed at once only in cases where they are undergoing imprisonment for an extraditable offence & they are required ^{trial on charge of} for such offence. In case the convict is undergoing sentence for a non extraditable offence special orders & Govt are

General and Revenue
Secretariat.

File No.

4 of 1919.

Serial
No.

necessary. or the British Court
will have to wait for the
execution of the warrant &
immediately on the release of
the convict

9) The prisoner has been
released on the 2nd June prior
to the receipt of the warrant

862
17/7/19.

Prisons Secy

10) Subd. for orders. With regard to para 5, the information
is not available in this office. May there be it be ascertained
from the Supdt. B.C. Jail?

21.7.19

BSS

Chyler

26-7-19

11) Please see remarks on draft

& revise it making a ref. to
the note of 1907 governing the matter

A revised draft to
the D. & F. A. N. S.
for up. 26/7

2013-23 16.1.18.
for 16.1-04-15

12) A revised draft for up.

BSS

11/8

Chyler

Issue

2/8

11/8

General and Revenue
Secretariat.

His File No. 4 of 1919.

Serial
No.

2

2

Ref. A.R. no 174 of 13.8.19

Requests that under the circumstances,
the information required may be furnished
and the warrants returned for inspection.

no reply has been received from the
B.A. Resident. May the B.A. Resident
be reminded in the matter.

Shd be done.

The file may perhaps be
closed & further action ^{taken} if the warrants
are returned hereafter

20/11

Yes
D. M.
24/11

PROTECTION BRANCH.
10 AUG 1919

B
CHIEF
PROTECTION BRANCH
25 NOV 1919

675
Pris. 2]

OFFICE OF THE INSPR.-GENL. OF PRISONS IN MYSORE,]

No. 1386/105-19 Eng. DATED BANGALORE, 8th July 1919.

FROM

Rao Bahadur Rajakaryapravina

.....T. V. Arumagam Mudaliar, Esqr, M.B., C.M.,

Inspector-General of Prisons in Mysore,

Bangalore.

TO

.....C. S. Balasundaram Iyer, Esqr., B.A.,

Chief Secy. to the Govt. of H. H. the Maharaja of Mysore,

~~General and Reserve Departments~~

SIR,

With reference to your No.G.119-27 dated the 3rd inst. forwarding 8 body warrants issued by the 2nd class Sub Magistrate, Harapanhalli for the production, before him, on 7-7-1919 of certain prisoners confined in the Bangalore Central Jail, I have the honor to intimate that the warrants in question were forwarded to the Superintendent of the Jail for compliance. The officer, in returning the same, reports that particulars furnished by the Magistrate are not sufficient to trace out the prisoners in some cases and in other cases the offences, for which the prisoners are undergoing imprisonment, are not extraditable. I enclose herein a copy of the Superintendent's letter and request further instructions in the matter.

2. The warrants received with your memo under reply are herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

T. V. Arumagam

Inspector-General of Prisons.

From

The Inspector-General
of Prisons in Mysore,
Bangalore.

To

blue
The Secretary to the Govt. of Mysore,
General and Revenue Departments.

Dated

Despatched

Received

General No. 1386/105-19
No.

Enclosure No. 9

Subject.

9 JUL 1917
Returns the 8 body
warrants together with
a copy of letter of the Supdt
S. C. Gail, explaining his
difficulties in complying
with the same and therefore
requests further instruction
in the matter.

42

5 JUL 1917
R

No. 832/F 5 Office of the Superintendent, Central Jail,
Enc. Dated, Bangalore, 5th July 1919.

From

The Superintendent,
Central Jail,
Bangalore.

To

Rajakarya Pravina Rau Bahadur
T. V. Arumugam Mudaliar., Esqr., M. B., C. M.,
Inspector General of Prisons in Mysore,
B A N G A L O R E.

Sir,

With reference to your Memo Nos. 1556 to 1 63/
105-19 dated the 4th July 1919, forwarding 8 Extradition
Warrants for the production of eight convicts of this Jail
Before the court of the Second class Sub Magistrate of -
Hadagalli and Harapanahalli on Monday the 7th July 1919 by
11 O' clock, to answer a charge now pending before the said
Court, I have the honor to state as under:-

2. In accordance with clause 1 of Government order
No. J. 2013-23/ Legs. 141-04-15 dated 6-1-1908, the offence
whether extraditable or not with which the prisoners are -
charged in British India, has not been mentioned in any of
the warrants.

3. In the warrant issued in Criminal Case No. 407
of 1919 against prisoner Kare Sunka alias Nalla Sunka by the
Sub Magistrate, the name of sentencing Court in Mysore is -
shown as 1st class Magistrate, Chickmagalur, the case No.
as 9 dated 29-11-1918 whereas no prisoner by that name has
been

been received in this Jail from that Court. But a prisoner by name Ramadu has been committed to this Jail by the Court of the First class Magistrate, Chickballapur in Criminal Case No. 9 of 1918-19 on 29-11-1918 with a sentence of two years rigorous imprisonment awarded under Section 454 and 380 Indian Penal Code.

4. In the warrant issued by the Sub Magistrate in Criminal Case No. 210 of 1919 against prisoner Ranga the date of sentence awarded by the First class Magistrate, Chitaldrug is shewn as 20-2-1919, but a prisoner by name Ranga alias Yellaga, who was sentenced to suffer one years' rigorous imprisonment on 8-2-1919 by the First class Magistrate, Chitaldrug Sub Division in Criminal Case No. 40 of 1918-19, for failing to furnish security for good behaviour, has been received in this Jail on 14-2-1919. As this prisoner is in Jail under the provisions of C.P.C in accordance with clause 2 of the said Government Order he cannot be surrendered to the British authorities. The probable date of his release will be in or about January 1920. A reference by the Court as to the exact date of release of this prisoner may be caused to be made to this office in November 1919.

5. In the Warrant issued by the Sub Magistrate, in Criminal Case No. 209 of 1919 against prisoner No. 4071 is shewn as Sanjeeva, whereas from the Admission Register of this office prisoner No. 4071 is registered as Iraga who was sentenced to suffer 2 years rigorous imprisonment on 29-11-18 by the First class Magistrate, Chickballapur in Criminal Case No. 9 of 1918-19 under Sections 454 and 380 I. P. C. But these particulars have not been shown in the warrant except No. 4071

6. In the warrant issued by the Sub Magistrate in Criminal case No. 208 of 1919 against Petla Ullaki, the date

7

date of sentence is noted as 8-2-1918, but in the warrant issued against prisoner Lakshma alias Ullakki alias Hanura in Criminal Case No. 40 of 1918-19 the date of sentence is noted as 8-2-1919. This prisoner has been sentenced to - suffer one year's rigorous imprisonment under the provisions of Criminal Procedure Code for failing to furnish security for good behaviour. Hence this prisoner cannot be surrendered to the British authorities without special orders of - Government. The probable date of his release will be in or about January 1920.

7. The warrant issued by the Sub Magistrate in Criminal Case No. 205 of 1919 against prisoner Hindupur Basava is addressed to the Superintendent of Bellary Jail and is shown to have been convicted in S. C. No. 4 dated 7-3-1919. But a prisoner by name Basaya of Kyarkatte- Harapanahally, who was sentenced in Chitaldrug Sessions Case No. 3 of 18-19 under Sections 457/511 by the Sessions Judge, Shimoga Division is undergoing imprisonment here.

8. Warrant has been issued in Criminal Case No. 204 of 1919 by the Sub Magistrate for prisoner Kunta Naga who is stated to have been convicted in Criminal Case No. 44 dated 21-3-1919 by the First class Magistrate, Tarikere. No prisoner by this name has been received in this Jail in the above case, but one prisoner by name Konda has been received in the said case for an offence under Section 379 I. P. C.

9. Warrant has been issued against prisoner M. Basava by the Sub Magistrate, in Criminal Case No. 203 of 1919. This prisoner is undergoing sentence awarded under the provisions of C. P. C. for failing to furnish security for good behaviour. Hence this prisoner cannot be surrendered without special orders

3

orders of Government. His probable date of release will be in or about March 1920. A reference as to the exact date of ~~com~~ release may kindly be caused to be made in February 1920.

10. Warrant has been issued against prisoner No 3727 Gidda Subba by the Sub Magistrate in Criminal Case No. 186 of 1919. But prisoner No. 3727 Subba alias Gidda Basya who was sentenced to suffer one years' rigorous imprisonment on 10-7-1918 by the Sub Divisional Magistrate, Davangere in Criminal Mis. Case No. 95 of 1917-18 under the provisions of C. P. C.. for failing to furnish security for good behavior, was released from the Jail on 9-6-1919 under the Remission System.

11. Under the foregoing circumstances it is not clear whether the prisoners are required for extraditable offences or not in British India and from the various discrepancies in every warrant, it is not clear whether these are the correct prisoners required to be produced amongst those who may be produced before the Court and as Government sanction in four instances is necessary for the production of prisoners convicted under the provisions of the C. P. C., solicit necessary orders may kindly be issued very early.

12. The eight warrants under reference are returned herewith.

I have the honor to b

S I R,

Your most obedient servant,

Sd/ S.G. Asirvadam

For Superintendent.

" C o p y. "

S. G. Asirvadam

Inspector-General of Prisons.

8-7-19.

G. R. S. VI—G/82]

SUBJECT.....

Diary No. of letter replied to.....

Section *Pris*

File No. 4-19.

Serial No. *2545*

GENERAL AND REVENUE SECRETARIAT

the 191

No.

Pol 174 Encl 2

Date of issue *13th August 19*

To

The J.A. Resident in Mysore.

Signed by *Mr C. S. B. Iyer.*

Sir,

I am returning herewith the eight extradition warrants sent with your memo no. 5114-55721 for the production of 8 prisoners from the Bairajalure Central Jail before the Sub-Magistrate Harpanhalli. I am directed to state ^{as follows:} ~~that the warrants could not be complied with on the following reasons:~~

(1) ~~In none of the warrants is~~ *The officer with which* ~~P.T. over.~~

A

!!

(3)

The accused are charged,
has not been specified in any of the warrants
or hence, it is difficult to find out whether it is extraditable,
~~mentioned the offence whether~~ or not

~~Extraditable or not with which~~
~~the prisoners are charged in~~
~~Br. India.~~

(2) In the following cases
Sufficient ^{have not been}
~~the~~ particulars furnished
by the Magistrates are to identify
~~not sufficient to trace~~ the
prisoners:-

(a) In the warrant
issued in Criminal Case
No 207 of 1919 against
Prisoner Kare Sunka alias
to Naka Sunka, by the
Sub-Magistrate, ^{purports to state that} the name
of the Sentencing Court in
Mysore is ~~that of the~~
1st Class Magistrate, Chikmagalur and the number of the case is said to be
~~in criminal~~ no. 9 of 29-11-18

List of enclosures.

But no prisoner by that
name ^{is stated to have} been received
in ^{the Bangalore Central} ~~this~~ jail from that the said
Court. But A prisoner by

Copied by

Examined by

F.R.S. 27]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

is reported to have
by name Ramadu has been
committed to ^{the Central} ~~this~~ jail by the
Court of the I class Magistrate
^{Chickbalkapur} ~~Chikmagalur~~ in Cr. Case no 9
of 1918-19 on 29-11-18 with a
sentence of two years rigorous
imprisonment awarded under
Sections 454 & 380 I. P.C.

(b) In the warrant issued in
Cr. Case no 209 of 1919 against
no 4071 the name of the prisoner
is shown as Saigiva, whereas in
the admission Register of the Central
jail ^{it is said to have been entered} ~~his name is shown as~~ Draga

(c) The warrant issued in Cr.
Case 205 of 1919 against Hindupur
Basava is addressed to the Supdt
of Bellary Jail, and it ^{purports to state} ~~shows~~
that the prisoner has been convicted
in S.C. no 4 of 7-3-19. But
a prisoner by name Basava
of Kyarakatte - Harpanahalli
who was sentenced in Chitald...

Sessions Case no 3, of 1918-19 under
Sections 457, 511 ^{S.P.C.} of the Sessions
Judge Shrinaga ^{said to be} is undergoing
imprisonment

(d) ^{Mrs} Warrant ~~has been issued~~ ^{purports to have been issued against}
in case no 204 of 1919 ^{but no}
prisoner Kunta Naga; ~~the~~ prisoner
by this name ^{is said to have} been received in
the Bangalore ^{Central} Jail, ~~but one~~ prisoner
by name Konda ~~has been received~~
in the jail

(3). The following prisoners are reported to be
undergoing imprisonment for non

extraditable non-extradition offences
hence, the jail authorities are not ~~empowered~~ ^{empowered} to
and ~~as such~~ ~~are not to be delivered~~
in accordance with the Mysore Govt.

delivered them, except
under the special orders
of Govt., according to

Notifⁿ no: J. 219. dtg 14-01-14 & 20-7-1907
a copy of which is enclosed for ready

G.O. no: J. 2013-23 - Regis
141-04-15 dtg 6th Jan 1908
a copy of which is herein
enclosed.

~~reference~~

- (a) Ranga
- (b) Lakshma alias Ullakki
- (c) M. Basava
- (d) (4) Prisoner no 3727. Zidda
^{was}
Subba ~~has been~~ released

(5)

G.R.S. 27]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

from the Jail on 9-6-19 under
the remission system

X

Have etc.

CSJ
1/8
Chief Secy to Govt

T

I am to request, ^{under 21-8-19}
under the circumstances,
that the information
required may be kindly
furnished & the warrants
^{returned}
~~be returned~~ for
necessary action.

To Mr.
21/8